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**IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO**

**IN RE: PEDRO MANUEL MONTANEZ RIVERA**  
**CARMEN DELIA BORGES RODRIGUEZ**

Bankruptcy Number: **13-07032-MCF**  
**Chapter 13**

**STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION**

Petition Filing Date: **08/29/2013**

First Meeting Date: **10/03/2013 at 8:00AM**

Days From Petition Date: **69**

341 Meeting Date: **11/05/2013 at 1:00PM**

910 Days Before Petition: **03/03/2011**

Confirmation Hearing Date: **11/08/2013 at 1:30PM**

Chapter 13 Plan Date: **08/29/2013** ☐ Amended

Plan Base: **\$11,850.00** Plan Docket # **2**

This is Debtor(s) **1** Bankruptcy petition.

This is the **2** scheduled meeting.

Payment(s) ☒ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$300.00**

Check/MO# \_\_\_\_\_

Date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

\*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): **R. NUNEZ**

☐ Pro-se

☒ Creditor(s) Present ☐ None

**MELCHOR FIRST BANK \***

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILL \***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$238.00** Outstanding (Through the Plan): **\$2,762.00**

\*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income

Liquidation Value: **\$ 0.00**

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B)

Projected Disp. Inc.: **\$ 0.00/ TBD**

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: **23.14 %**

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR \_\_\_\_ DAYS

§341 Meeting Rescheduled for: \_\_\_\_\_

Comments:

\*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has failed to submit paystubs for the 6 month period prior to the filing of the case. Trustee to verify income (Schedule I and Means Test) once these documents are submitted.  
Joint Debtor must submit first paystub for the month of June 2013.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Fails to provide to devote future income tax refunds to fund the plan.

**\*OTHER COMMENTS / OBJECTIONS**

Doral and BPPR, secured creditors provided for in the plan, are yet to file their claims. Said creditors will not participate from the disbursements until they file their claims.

/s/ Jose R. Carrion, Esq. Meeting Date: Nov 05, 2013

**Trustee**

/s/ Nannette Godreau, Esq.

**Presiding Officer**